

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LONDON-SIRE RECORDS INC., a Delaware corporation; ATLANTIC RECORDING CORPORATION, a Delaware corporation; BMG MUSIC, a New York general partnership; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; INTERSCOPE RECORDS, a California general partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; CAPITOL RECORDS, INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; and WARNER BROS. RECORDS INC., a Delaware corporation,

Plaintiffs,

v.

DOES 1-4,

Defendants.

CIVIL ACTION 04-12434 NG
LEAD DOCKET NUMBER

**NOTICE OF DISMISSAL WITHOUT PREJUDICE OF DEFENDANT DOE NO. 1
IN THE MATTER FORMERLY KNOWN AS CAPITOL RECORDS, INC. V. DOES 1-2,
U.S. DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS, NO. 05-CV-10565**

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiffs hereby give notice of the dismissal without prejudice of the claims asserted against Defendant Doe No. 1 in the matter known prior to the Court's April 20, 2005 consolidation order as Capitol Records, Inc. v. Does 1-2, U.S. District Court for the District of Massachusetts, No. 05-CV-10565, and who is associated in the Complaint in that matter with the following IP address: 168.122.192.97 2005-02-01 20:47:57.

This notice of dismissal shall have no effect on claims asserted against any other defendants in this matter.

LONDON-SIRE RECORDS INC.; ATLANTIC RECORDING CORPORATION; BMG MUSIC; ELEKTRA ENTERTAINMENT GROUP INC; INTERSCOPE RECORDS; UMG RECORDINGS, INC.; SONY BMG MUSIC ENTERTAINMENT; ARISTA RECORDS LLC; CAPITOL RECORDS, INC; VIRGIN RECORDS AMERICA, INC; and WARNER BROS. RECORDS INC.,
By their attorneys,

/s/ Jocelyn L. Heyman

Colin J. Zick (BBO No. 556538)
Gabriel M. Helmer (BBO No. 652640)
Jocelyn L. Heyman (BBO No. 660240)
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210-2600
Phone: (617) 832-1000
Fax: (617) 832-7000

Dated: July 20, 2005

Of Counsel:

Stacey E. Deere
SHOOK HARDY & BACON LLP
2555 Grand Blvd.
Kansas City, Missouri 64108
Phone: (816) 474-6550
Fax: (816) 421-5547